

REMARKS

Claims 1, 2, 5-7 and 21-26 are pending in the application. Reconsideration of claims 1, 2 and 5-7 and 21-26 in light of the arguments herein is respectfully requested.

Claims 1, 2, 4-7 and 21-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent number 6,389,400 to Bushey, et al. ("Bushey") in view of U.S. patent publication number 2001/0054064 to Kannan ("Kannan").

Independent claim 1

Reconsideration of the rejection of independent claim 1 is respectfully requested. A rejection under 35 U.S.C. § 103(a) may only be maintained if all limitations of the claim are disclosed or suggested by the applied references. MPEP § 2142. Bushey and Kannan, taken in combination, fail to disclose all the limitations of claim 1.

For example, Bushey and Kannan fail to disclose

automatically calculating a customer value for the customer based on historical customer interaction information recorded as transaction records for previous transactions between the customer and the customer interaction center over all possible channels, including reconciling the transaction records from different channels to produce the customer value;
determining whether said customer value exceeds a predetermined customer value threshold, the customer value threshold defining the channels through which the current interaction may proceed so that lower valued customers have access only to channels requiring less interaction with a customer service representative of the customer interaction center and channels providing a slower than real-time response to queries from the customer; ...
if said customer value is less than said predetermined customer value threshold, presenting said customer with a partial list of interaction options; ...

The office action at page 3 refers to Bushey, column 9, lines 4-7 (calculation of a customer model) as disclosing calculation of a customer value. However, the office action acknowledges that "Bushey, et al. *does not disclose* ... the customer value threshold defining the channels though which the current interaction may proceed so that lower valued customers have access only to channels requiring less interaction with a customer service representative of the customer interaction center and channels providing a slower than real-time response to queries from the customer." Office action, pages 3-4 (*emphasis added*).

The office action relies on Kannan to fill the missing teaching. The office action asserts that “Kannan discloses determining whether the customer qualifies for live service, by determining the customer’s profile/status based upon previous transactions, including evaluating previous transactions, based upon cookie information (§0080). Further, Kannan discloses determining from the customer profile whether a customer is high-margin/low-margin (i.e., customer score) provider and whether the interaction will be simple or complex (§0080).” Still further, according to the office action, Kannan discloses at (§0088) that authorization for live customer service “can be provided by the service manager 610 based on browsing data gathered in step 730 and/or the customer profile generated in step 740.” Paragraph (0091) includes similar teaching, that the “service manager 610 (or even a CSR) may also determine from the customer profile that customer is a high priority customer and should be offered help.” Office action, pages 4-5.

However, claim 1 actually recites “automatically calculating a customer value for the customer based on historical customer interaction information recorded as transaction records for previous transactions between the customer and the customer interaction center over all possible channels” and “the customer value threshold defining the channels through which the current interaction may proceed.” Kannan instead talks about determining if a customer qualifies for live service (§0080). In the example given, Kannan determines this “by evaluating whether (i) a customer logged on using a known account number or other forms of identification or whether (ii) data in the computer supporting customer browser 520 exists that verifies that the customer is a known entity.” Bushey does show that archived customer account information may be retrieved, column 8, lines 47-55. Kannan instead talks about making customer service decisions based on current browsing activity, . (§0080).

However, the information gathered in Kannan and Bushey is not used to define channels through which the current interaction may proceed. Kannan only discloses web browser interaction and using the customer information to permit live customer service for high priority customers. There is no suggestion in Kannan or Bushey, taken alone or in combination, that “if said customer value is less than said predetermined customer value threshold, presenting said customer with a partial list of interaction options” as required by claim 1.

The office action asserts at page 5 that “it would have been obvious to one having ordinary skill in the art at the time the invention was made to include transmitting an acknowledgement to the customer with an expected time of reply...” reciting a list of limitations

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that are missing from Bushey and Kannan. It is respectfully submitted that this is inadequate as a rejection. MPEP § 2143.03, "All Claim Limitations Must Be Taught Or Suggested," requires that "to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art," citing *In re Royka*, 490 F.2d 981 (CCPA 1974). Despite the careful stitching together of the respective teachings of Bushey and Kannan, the office action has been unable to show all limitations of independent claim 1. It is submitted that *prima facie* obviousness of the currently claimed invention has not been shown in the manner required by the MPEP.

Accordingly, reconsideration of the rejection of claim 1 is respectfully requested. Claims 2 and 5-7 are dependent from claim 1 and are submitted to be allowable for the same reasons.

Independent claim 21

Reconsideration of the rejection of independent claim 21 is also respectfully requested. Bushey and Kannan, taken in combination, fail to disclose all the limitations of independent claim 21.

Claim 21 recites "a transaction/information processing system under control of a control program." The control program controls the customer interaction system including operations which are missing from Bushey and Kannan. For example, claim 21 recites

if the customer value is less than a predetermined threshold, presenting the customer with a partial list of options for interaction with the CSR,
and
if the selected interaction option comprises a client computing device connection from the customer to the customer interaction center through a public network, displaying to the CSR information from the interaction database system about the profile and preferences of the customer,
information from the interaction database system about previous interactions the customer has had with other CSRs,
an image of a Web page currently being accessed by the customer, and
suggested scripts for delivery by the CSR

These limitations are absent from Bushey and Kannan, taken alone or in combination.

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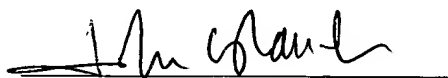
The office action asserts at pages 9-10 that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to include presenting said customer with a partial list of interaction options and receiving a selected option from the customer..." and additional limitations that are missing from Bushey and Kannan. Moreover, some of the limitations recited above from claim 21 are not mentioned, other than to acknowledge that "Bushey et al. does not disclose" these limitations. There is no assertion that Kannan or any other art of record provides the missing teaching.

It is respectfully submitted that this is inadequate as a rejection. As noted above, MPEP § 2143.03, "All Claim Limitations Must Be Taught Or Suggested," requires that "to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." This is not the case for the present rejection of claim 21. The office action has been unable to show all limitations of independent claim 21. It is submitted that *prima facie* obviousness of the currently claimed invention has not been shown in the manner required by the MPEP.

Accordingly, reconsideration of the rejection of claim 21 is respectfully requested. Claims 22 - 26 are dependent from claim 21 and are submitted to be allowable for the same reasons.

With this response, the application is submitted to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



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April 11, 2005
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